

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
EASTERN DIVISION
CASE NO. 4:21-CV-00059-M

MEHERRIN AGRICULTURAL &)
CHEMICAL COMPANY,)
Plaintiff,) **ORDER**
v.)
JERALD WALT CARTER,)
Defendant.)

This matter is before the court on the Joint Motion to Remand [DE-12]. Together the parties request that this matter be remanded to the Superior Court of Pitt County, North Carolina, on the basis of a defect in the filing of the notice of removal, pursuant to 28 U.S.C. § 1447(c). Defendant's Notice of Removal [DE-1] was filed more than thirty days after Defendant's receipt of Plaintiff's state-court complaint and was therefore untimely pursuant to 28 U.S.C. § 1446(b)(1). Based on the parties' consent and for good cause shown, the motion is GRANTED. This action is remanded to the Superior Court of Pitt County, North Carolina for all further proceedings.

SO ORDERED this the 11th day of May, 2021.


RICHARD E. MYERS II
CHIEF UNITED STATES DISTRICT JUDGE